

Appl. No. 10/004,904
Atty. Docket No. 8798L
Amdt. dated May __, 2006
Reply to Office Action of April 17, 2006
Customer No. 27752

REMARKS

The Office states that the present application contains two distinct inventions. More specifically, the Examiner alleges that the two inventions are:

- I. Claims 1-53 are drawn to a method for subject matter wherein a user has access to and control, via Graphical User Interface, of data processing systems or components at a location removed from the user, classified in Class 715, subclass 740; and
- II. Claims 54-57 drawn to a method for allocating and scheduling of resources, classified in Class 705, subclass 8.

The Office further states that Group I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In the instant case, while invention I has separate utility such as providing a method for providing GUI menus for controlling conference room devices remotely, invention II is directed to a method of scheduling request for a conference room and request for controlling conference room devices based on the requested date and time.

Response to Restriction Requirement

In order to be fully responsive, Applicant provisionally elects Group I, Claims 1-53, for examination on the merits with traversal while holding Claims 54-57 in abeyance pursuant to 37 CFR § 1.142(b) until final disposition of the elected claims. Applicant reserves the right to pursue each of the non-elected claims in one or more divisional applications.

Applicant respectfully traverses this restriction requirement. Applicant submits that the Examiner has not satisfied the requirements in rendering the restriction requirement. M.P.E.P. §803 states:

Under the statute an application may properly be required to be restricted to one of two or more claimed inventions only if they are able to support separate patents and they are either independent or distinct. If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

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Applicant submits that the Examiner has failed to provide a requisite basis for the Restriction Requirement since there would be no significant burden placed on the Examiner to search and examine these two groups together. As a result, the Restriction Requirement is improper and should be withdrawn.

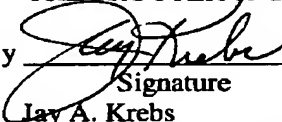
Conclusion

In light of the above election, it is requested that the Examiner reconsider and withdraw the rejection under 35 USC §121. Early and favorable action in the case is respectfully requested.

This response represents an earnest effort to place the application in proper form for examination and allowance. In view of the foregoing, reconsideration of this application and allowance of Claims 1 - 53 is respectfully requested.

Respectfully submitted,
THE PROCTER & GAMBLE COMPANY

By


Signature

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Date: May 15, 2006
Customer No. 27752

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